

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
SAN ANGELO DIVISION

ROBERT SCHELKE, *et al.*,

Plaintiffs,

v.

LLOYD J. AUSTIN, III,
United States Secretary of Defense, *et al.*,

Defendants.

No. 6:22-cv-0049-H

DEFENDANTS' NOTICE OF SUPPLEMENTAL AUTHORITY

Defendants respectfully notify the Court of the decision in *Alvarado v. Austin*, No. 23-1419 (4th Cir. Aug. 3, 2023) (attached as Ex. 1). In that case, 42 military chaplains serving in the Army, Air Force, and Navy challenged the military's COVID-19 vaccination requirement and brought claims under the Religious Freedom Restoration Act, the First Amendment, and other authorities. The district court denied a motion for preliminary injunction and dismissed the case for lack of justiciability. On appeal after briefing from the parties on mootness, the Court of Appeals for the Fourth Circuit found the case was moot in its entirety, vacated all of the district court's orders, and remanded with instructions for the district court to dismiss the case as moot.

This opinion provides additional authority in support of Defendants' Motion to Dismiss Plaintiffs' Amended Complaint, ECF No. 105.

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Dated: August 3, 2023

Respectfully submitted,

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